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Attorney for Defendant
DAVID HANSEN

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID KENNETH HANSEN,

Defendant.

Case No.: 2:20-cr-021 TLN

STIPULATION AND ORDER
CONTINUING STATUS CONFERENCE
AND EXCLUDING TIME UNDER THE
SPEEDY TRIAL ACT

Date: October 29, 2020
Time: 9:30 a.m.
Court: Hon. Troy L. Nunley

Plaintiff United States of America by and through Assistant United States Attorney James Conolly, and Attorney Todd Leras on behalf of Defendant David Hansen, stipulate as follows:

1. This matter is presently set for a status conference on October 29, 2020. By this stipulation, Defendant Hansen moves to continue the status conference to January 14, 2021.

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2. This case involves drug trafficking and firearm charges stemming from execution of search warrants in Sacramento and Placer Counties. Defendant appeared for arraignment on the charges contained in the Indictment on January 24, 2020. During the period following the arraignment a series of national events related to the spread of COVID-19 occurred.
3. Federal and state authorities issued increasingly restrictive directives to slow the spread of the virus. These restrictions hampered the ability to conduct defense investigation as to potential defenses in this matter. Defendant Hansen therefore requests to continue this matter to January 14, 2021.
4. Defendant Hansen is being held in pre-trial detention at the Sacramento County Main Jail. The Chief Judge for the Eastern District of California has issued a series of orders, including General Orders 612, 617, 618, and 620, restricting access to the federal courthouses within the district since March 18, 2020. General Order 624, issued on September 30, 2020, extended the courthouse restrictions for 90-days from the issuance date – essentially amounting to the remainder of 2020.
5. On March 19, 2020, California Governor Gavin Newsom issued Executive Order N-33-20 ordering all California residents to shelter in place unless their services are needed to perform work in critical infrastructure functions. These restrictions gradually and sporadically eased in the past seven months, but a current surge in national COVID-19 infections places reopening measures, even in places such as California where the restrictions appear to be succeeding, in a precarious position.

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- 1 6. The government has provided defense counsel with initial discovery consisting of
2 written offense reports and audio recordings. Defense counsel is reviewing these
3 materials with Mr. Hansen via occasional in-person visits at the Sacramento County
4 Jail. The defense therefore requests additional time to perform its discovery review
5 and investigation.
6
- 7 7. Given the ongoing defense investigation, Defendant Hansen requests to continue the
8 status conference in this matter to January 14, 2021, at 9:30 a.m., and to exclude time
9 between October 29, 2020 and January 14, 2021, inclusive, under Local Code T-4.
10 The United States does not oppose this request.
11
- 12 8. Attorney Todd Leras represents and believes that failure to grant additional time as
13 requested would deny Defendant Hansen the reasonable time necessary for effective
14 preparation, considering the exercise of due diligence.
15
- 16 9. Based on the above-stated facts, Defendant Hansen requests that the Court find that
17 the ends of justice served by continuing the case as requested outweigh the best
18 interest of the public and the Defendant in a trial within the time prescribed by the
19 Speedy Trial Act.
20
- 21 10. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, *et*
22 *seq.*, within which trial must commence, the time period of October 29, 2020 to
23 January 14, 2021, inclusive, is deemed excludable pursuant to 18 U.S.C. §
24 3161(h)(7)(A), and (B) (iv) [Local Code T-4] because it results from a continuance
25 granted by the Court at Defendant Hansen's request on the basis that the ends of
26 justice served by taking such action outweigh the best interest of the public and the
27

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1 Defendant in a speedy trial.

2 11. Nothing in this stipulation and order shall preclude a finding that other provisions of
3 the Speedy Trial Act dictate that additional time periods are excludable from the
4 period within which a trial must commence.
5

6 Assistant U.S. Attorney James Conolly has reviewed this proposed order and authorized
7 Todd Leras via email to sign it on his behalf.
8

9 DATED: October 26, 2020

MCGREGOR W. SCOTT
United States Attorney

11 By /s/ Todd D. Leras for
JAMES CONOLLY
Assistant United States Attorney

13 DATED: October 26, 2020

14 By /s/ Todd D. Leras
TODD D. LERAS
Attorney for Defendant
DAVID HANSEN

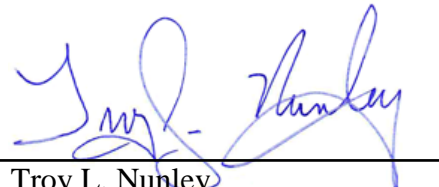
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ORDER

BASED ON THE REPRESENTATIONS AND STIPULATION OF THE PARTIES, it is hereby ordered that the status conference in this matter, scheduled for October 29, 2020, is vacated. A new status conference is scheduled for January 14, 2021, at 9:30 a.m. The Court further finds, based on the representations of the parties and Defendant Hansen's request, that the ends of justice served by granting the continuance outweigh the best interests of the public and the Defendant in a speedy trial. Time shall be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(B)(iv) and Local Code T-4, to allow necessary attorney preparation taking into consideration the exercise of due diligence for the period from October 29, 2020, up to and including January 14, 2021.

IT IS SO ORDERED.

DATED: October 26, 2020



Troy L. Nunley
United States District Judge

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